

REMARKS

The drawings are objected to because they do not include reference sign 70 mentioned in the description. The specification and drawings have been amended to overcome this objection. In particular, the specification has been amended to change reference sign 70 to 200 and Fig. 1 has been amended to change reference sign 50 to 200.

The drawings are objected to because they do not include reference sign 69 mentioned in the description. The Examiner's attention is directed to Fig. 2, which includes reference sign 69 (denoting vertebral cortical bone). The drawings are also objected to because they include reference sign 50 not mentioned in the description. The Examiner's attention is directed to the specification at page 24, lines 25 and 34, page 25, lines 8, 9, 10, 24, 27 and 35, and page 26, lines 11 and 18, all of which mention reference sign 50. Accordingly, Applicant requests that these objections be withdrawn.

Drawing page 15/17 has been amended to omit the reference "Fig. 1."

The specification has been further amended to provide consistent reference numbers when directing to the same part.

The title of the invention is objected to. The title of the invention has been amended to more clearly indicate the invention to which the claims are directed.

Respectfully Submitted,

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Kyphon/1720-FOR/040109 Response to Restriction Requirement and Preliminary Amendment

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